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FM AMEMBASSY SANTO DOMINGO
TO RUEHC/SECSTATE WASHDC PRIORITY 3181
INFO RUEHZA/WHA CENTRAL AMERICAN COLLECTIVE PRIORITY
RUEHWN/AMEMBASSY BRIDGETOWN PRIORITY 1834
RUEHCV/AMEMBASSY CARACAS PRIORITY 0514
RUEHGE/AMEMBASSY GEORGETOWN PRIORITY 0790
RUEHKG/AMEMBASSY KINGSTON PRIORITY 2488
RUEHPO/AMEMBASSY PARAMARIBO PRIORITY 0933
RUEHPU/AMEMBASSY PORT AU PRINCE PRIORITY 4065
RUEHSP/AMEMBASSY PORT OF SPAIN PRIORITY 1592
RUEAIIA/CIA WASHINGTON DC PRIORITY
RHEFDIA/DIA WASHDC PRIORITY
RUEHC/DEPT OF LABOR WASHDC PRIORITY
RUCOWCV/CUSTOMS CARIBBEAN ATTACHE MIAMI FL PRIORITY
RUEAHLC/HQS DHS WASHDC PRIORITY
RUMISTA/CDR USSOUTHCOM MIAMI FL PRIORITY

C O N F I D E N T I A L SANTO DOMINGO 000168

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STATE FOR WHA, WHA/CAR, DRL, INR/IAA, INL; USSOUTHCOM ALSO
FOR POLAD; DHS FOR CIS-CARLOS ITURREGUI

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SUBJECT: HAITIAN MIGRANT DEATHS REVEAL WEAK BORDER CONTROLS

Classified By: Poloff Michael Garuckis for reasons 1.4 (b) and (d)

¶1. (C) Summary. The January 11 death by suffocation of 24 illegal Haitian migrants has triggered a Dominican Government response that includes a formal apology to Haitian authorities, a presidential promise to seek justice with the formation of a "blue-ribbon" investigative committee, and the near immediate arrest and preventative detention of three individuals. Dominican officials promise to punish the guilty without regard to political or military rank. These actions appear to be in line with comments made by President Fernandez to DAS Patrick Duddy regarding the need to dampen tensions on Haitian migration issues. The policy line suggests that the authorities will prosecute this case swiftly and decisively. End Summary.

¶2. (C) The death by suffocation of 24 Haitian illegal immigrants in a closed rental transport truck on January 11 has raised growing indignation among both Dominican and Haitian communities in Hispanola. As the truck traveled from the border town of Dajabon toward the provincial capital of Santiago, the driver and his assistant stopped not once, but twice to pull out bodies and abandon them alongside the road.

In the end, seven of the surviving migrants were sent to the hospital, where one subsequently died of his injuries. Although Director General for Migration Carlos Amarante informed emboff that a total of 69 Haitians had been trafficked, the Embassy has not been able to determine the whereabouts of the 38 uninjured survivors.

¶3. (U) The morning following the discovery, Dominican authorities sought to deliver 22 of the bodies to a cemetery in Haiti near the town of Ouanamenthe. Haitians initially refused permission for the internment, but ultimately acceded when Spanish MINUSTAH troops agreed to provide security. The convoy was met by demonstrations, rock throwing, and, finally, gunfire upon nearing the cemetery. It is reported that two more Haitians died in the Ouanamenthe confrontation and one to four MINUSTAH soldiers were injured. At least one Dominican driver's life was reportedly saved by a bulletproof vest, with which he had been provided before beginning the crossing.

14. (U) Ultimately, the Dominican authorities returned the bodies to Dajabon where, after autopsy and photography (for identification purposes), all were buried in a common grave. Religious rites at the burial were performed by Father Rogelio of the Jesuit Service for Migrants.

15. (C) President Fernandez commented to State Department DAS for the Caribbean Patrick Duddy on the evening of January 11 that military officials were certainly involved in the smuggling operation. (Comment: Our knowledge of the border suggests to us that the guilty in this case are not limited to the military, who don't always make the decisions in the region, but probably also include both local politicians and businessmen. End comment.)

16. (C) The Dominican morning papers today report that on January 12, President Fernandez sent to the Haitian Interim Government's President and Prime Minister letters of condolence through diplomatic channels. These letters condemned "the unfortunate events" referenced above while stating that the Dominican government would investigate and bring to justice those responsible. The Attorney General has promised an exhaustive investigation in which there will be no "sacred cows", a sentiment echoed to poloffs on January 13 by the Assistant Attorney General for Anti-Trafficking and Smuggling Frank Soto: "The guilty will pay the consequences without regard to political or military rank." Fernandez has designated a special investigating commission composed of the Attorney General, the head of the armed forces, the chief of the national police, and the director of migration. According to Soto, this commission has already met in Santo Domingo and will travel to Dajabon on January 14. They are unlikely to work with Haitian officials, however. Soto notes that Dominican-Haitian cooperation in this case collapsed in the immediate aftermath of the Ouanamenthe violence.

17. (C) While the official investigation has but begun, initial inquiries by the Attorney General's office, including interviews with three survivors, indicate that the migrants in question came from various parts of Haiti and had no common destination in the Dominican Republic, save their planned journey's end in Santiago. Soto assumes for the moment that this was a typical journey for common laborers, several of whom were returning to the Dominican Republic after previous illegal entries.

18. (C) The Justice Ministry states that the investigating magistrate in the border town of Dajabon has already put three individuals into preventive detention based on flight risk. They will be charged with homicide, criminal conspiracy, and illegal trafficking of migrants in violation of the Penal Code and Law 137-03 on Illegal Trafficking of Migrants and Other Persons. The three are the truck's renter and driver Elvis Rafael Rodriguez Ortiz, the truck driver's helper Esteban Martinez Rosario, and German Antonio Tatis, who had lodged the illegals in Dajabon. According to Soto, Rodriguez Ortiz has named three additional civilians as culpable participants. Meanwhile, local newspaper reporting suggests that at least twenty military officers and possibly as many as troops have been called in for questioning. Soto says that additional arrests are possible within the coming days.

19. (U) The Attorney General's office stated that the Dajabon border crossing has been temporarily closed as a precautionary measure.

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